

**GOODMAN & HURWITZ, P.C.**  
ATTORNEYS AND COUNSELORS

WILLIAM H. GOODMAN\*  
bgoodman@goodmanhurwitz.com

JULIE H. HURWITZ  
jhurwitz@goodmanhurwitz.com

KATHRYN BRUNER JAMES  
kjames@goodmanhurwitz.com

OF COUNSEL  
GOODMAN KALAHAR, P.C.

June 11, 2008

**BY FAX AND REGULAR MAIL**

Kelly G. Keenan, Esq.  
Legal Counsel to the Governor  
111 S. Capitol Ave.  
Lansing, MI 48909  
Fax (517) 241-5026

**Re: Petition and Charges against the  
Honorable Kwame M. Kilpatrick**

It has been brought to my attention that three members of the Detroit City Council filed a memorandum with the Governor, dated May 27, 2008. On behalf of the Detroit City Council, I wish to indicate that this memo is both inaccurate and misleading. As an initial point of observation, the memorandum submitted by President Pro-Tem is in virtually total conflict with the findings of fact contained in the report of the Special Counsel. On May 12, 2008, the Council adopted "as its findings *all* factual findings contained in the Special Counsel's Report submitted May 5, 2008." I am herein attaching a copy of this resolution that passed by a vote of 8 to 1, including yea votes by Members Collins and Reeves.

As to the personal attacks on me, I would appreciate that you and the Governor take note of several factual inaccuracies:

- that I "fail(ed) to disclose" of a case "settled" by my firm against three Detroit police officers - there has been a verdict but *no* settlement whatsoever. Further, I made a *full* disclosure to Council at the time I was hired to represent it in this matter.
- that "(m)ore than \$1M in City Council Member and staff time has been spent" investigating these matters - Council voted *unanimously* to

investigate the Brown/Nelthrope/Harris settlements and then hired me and my law firm to do so. The complexity of the investigation is simply a function of the complexity of the transaction and the lengths taken to cover it up. Finally, there is absolutely no corroboration of such a calculation, "\$1M."

These are the matters that I feel need to be addressed immediately. There are numerous additional statements in the memo that are false or misleading. However, I will wait until directed by you to file any further response.

Sincerely,



William Goodman  
Special Counsel, Detroit City Council

Goodman & Hurwitz, P.C.  
1394 East Jefferson Avenue  
Detroit, Michigan 28307  
(313) 567 6170  
bgoodman@goodmanhurwitz.com

cc: Sharon McPhail, Esq.; James Thomas, Esq.; Members of Council

13 467

(11)

**RESOLUTION IN THE NAME OF THE DETROIT CITY COUNCIL  
TO ADOPT THE FINDINGS OF FACT IN SPECIAL COUNSEL'S REPORT**

**OF MAY 5, 2008**

*By All Council Members*

**WHEREAS,**

On April 8, 10, and 11, 2008 this Honorable Body held Legislative Hearings regarding settlements in the *Brown, Nelthrope and Harris v. City of Detroit, et al* lawsuits, and heard testimony from John E. Johnson, Jr. Corporation Counsel; Valerie Colbert-Osamuede, Senior Assistant Corporation Counsel; Wilson Copeland, Outside Special Counsel for City of Detroit; Samuel McCargo, Outside Special Counsel for the Mayor; and Michael Stefani, Attorney for Plaintiffs; as well as from experts on ethics, public policy and litigation matters; and

**WHEREAS,**

On May 5, 2008, the Detroit City Council's Special Counsel submitted to this Honorable Body a Report of findings regarding the Legislative Hearings, which outlined several acts of official misconduct by Mayor Kwame Kilpatrick and contained several recommendations regarding possible causes of action for this Honorable Body; and

**WHEREAS,**

The Special Counsel's Report makes significant factual findings that this Honorable Body desires to adopt as its own findings; **NOW, THEREFORE, BE IT**

**RESOLVED,**

That the Detroit City Council hereby adopts as its findings all factual findings contained in the Special Counsel's Report submitted May 5, 2008.

*5-12-08 - Put on*

*5.12.08 Rec'd at Table.*

ADOPTED AS FOLLOWS:  
COUNCIL MEMBERS

13468	YEAS	NAYS
Sheila M. COCKRELL	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Barbara Rose COLLINS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brenda JONES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kwame KENYATTA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maria REEVES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alberta HINSLEY TALABI	<input checked="" type="checkbox"/>	<input type="checkbox"/>
JoAnn WATSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Monica CONYERS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Kenneth W. RIES COCKRELL JR.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PRESIDENT PRO TEM	<input checked="" type="checkbox"/>	<input type="checkbox"/>